

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1457 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE H.R.SHELAT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? No.
2. To be referred to the Reporter or not? No.

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3. Whether Their Lordships wish to see the fair copy of the judgement? No.
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No.
5. Whether it is to be circulated to the Civil Judge? No.

ANILBHAI B CHAUDHARI

Versus

REGIONAL TRANSPORT OFFICER

Appearance:

M/S THAKKAR ASSOC. for Petitioner
MR KR RAWAL, A.P.P. for Respondents.

CORAM : MR.JUSTICE H.R.SHELAT

Date of decision: 12/12/97

ORAL JUDGEMENT

Rule. Mr. K.P. Rawal, learned A.P.P. waives service of rule on behalf of the respondents.

2. The amount payable as per the notice is Rs. 93,750/-. The formula to pay up the amount of tax due and that may become due in future from month to month is

worked out as under, hearing the learned advocates.

3. The petitioner shall pay the amount of tax of Rs. 12,000/- that will become due every month henceforth and shall also pay towards the arrears till the whole arrears is cleared up by monthly instalments each of Rs. 18,000/- p.m. from 18th December, 1997 and the last instalment would be of the remainder. Thus, the petitioner shall clear up the arrears and continue to pay regularly every month the tax amount that will accrue due.

4. The amounts to be paid towards the arrears as per the notice are subject to the decision in the appeal. The amounts paid by the petitioner shall be adjusted in accordance with the decision. The vehicle bearing Registration No. GJ-14-T-74 seized shall be released soon after the amounts of the first instalment are paid on 15-12-1997, and thereafter the petitioner shall be at liberty to ply the same subject to his obtaining fitness certificate and undergoing all other required formalities. In case of any default in making payment aforesaid the authority will be at liberty to seize the vehicle in accordance with law.

5. Rule is made absolute. D.S. is permitted.

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